

Sixth Judicial District

District Judges

Administrative Judge

William H. Woodland

P.O. Box 4126
Pocatello, ID 83276
Ph: (208) 236-7250

Reporter: Suzanne Bowen

P.O. Box 4126
Pocatello, ID 83276
Ph: (208) 236-7250

Peter D. McDermott

P.O. Box 4131
Pocatello, ID 83205
Ph: (208) 236-7242

Reporter: Stephanie Davis

P.O. Box 4574
Pocatello, ID 83205
Ph: (208) 236-7242

N. Randy Smith

P.O. Box 4165
Pocatello, ID 83205
Ph: (208) 236-7244

Reporter: Sandra Beebe

P.O. Box 4165
Pocatello, ID 83205
Ph: (208) 236-7244

Don L. Harding

159 South Main
Soda Springs, ID 83276
Ph : (208) 547-2146

Reporter: Lance Oviatt

159 South Main
Soda Springs, ID 83276
Ph: (208) 547-2146

Trial Court Administrator

Suzanne H. Johnson

P.O. Box 4847
Pocatello, ID 83205
Ph: (208) 236-7355
Fax: (208) 236-7012

Magistrates

Bannock County

R. Ted Israel

P.O. Box 4847
Pocatello, ID 83205
Ph: (208) 236-7322

Gaylen L. Box

P.O. Box 4847
Pocatello, ID 83205
Ph: (208) 236-7255

Dan C. McDougall

P.O. Box 4847
Pocatello, ID 83205
Ph: (208) 236-7252

Boyd B. White, II

P.O. Box 4847
Pocatello, ID 83205
Ph: (208) 236-7236

Bryan K. Murray

P.O. Box 4847
Pocatello, ID 83205
Ph: (208) 234-1087

Clerk: Larry W. Ghan

624 East Center, Room 211
Pocatello, ID 83205
Ph: (208) 236-7340
Fax: (208) 236-7013

Bear Lake County

O. Lynn Brower

P.O. Box 190
Paris, ID 83261
Ph: (208) 945-2208

Clerk: Joan Eborn

7 East Center Street
P.O. Box 190
Paris, ID 83261
Ph: (208) 945-2212
Fax: (208) 945-2780

Caribou County

Ronald M. Hart

P.O. Box 775
Soda Springs, ID 83276
Ph: (208) 547-2146

Clerk: Edie Izatt

129 South Main, Room 202
P.O. Box 775
Soda Springs, ID 83276
Ph: (208) 547-4324
Fax: (208) 547-4759

Franklin County

Lowell D. Castleton

39 West Oneida
Preston, ID 83263
Ph: (208) 852-0877

Clerk: Elliott Larsen

39 West Oneida, Room 2
Preston, ID 83263
Ph: (208) 852-1090
Fax: (208) 852-2926

Oneida County

David L. Evans

P.O. Box 191
Malad City, ID 83252
Ph: (208) 766-4116, ext. 17
Fax: (208) 766-4285

Clerk: Shirlee Blaisdell

10 Court Street
P.O. Box 191
Malad City, ID 83252
Ph: (208) 766-4116, ext. 10
Fax: (208) 766-4285

Power County

Mark A. Beebe

543 Bannock
American Falls, ID 83211
Ph: (208) 226-7619

Clerk: Christine Steinlicht

543 Bannock, Room 101
American Falls, ID 83211
Ph: (208) 226-7618
Fax: (208) 226-7612

Administrative Order Adopting Rules and Assigning Jurisdiction

for the District Judges and Magistrates of the Sixth Judicial District

The District Judges of the Sixth Judicial District, consolidate prior orders, clarify jurisdictional assignments, re-set law and motion days for the respective counties and refine the rules of the District Court and the rules for the Magistrates Division;

Now, therefore, it is hereby ordered:

1. Designation of Presiding Judges. District Judges Peter D. McDermott, William H. Woodland and N. Randy Smith be will the presiding judges in Bannock County. Effective September 1, 1998, Judge Peter D McDermott will be the presiding judge in Oneida County. Effective September 1, 2000, Judge N. Randy Smith will be the presiding judge in Power County. District Judge Don L. Harding will be the presiding judge in Bear Lake, Caribou and Franklin Counties.

2. Assignment of Cases in Bannock County. In Bannock County, all cases assigned to the Sixth District Court shall, at the time of filing, be assigned by the Clerk to a specific judge on a rotating basis. Nothing in the foregoing shall prevent the assignment of cases, both civil and criminal, in any County to any judge as the said judges might determine is necessary to expeditiously handle the case load.

3. Law and Motion Days. Law and Motion Days for District Judges are established for each County as follows:

Bannock County Civil Proceedings

Judge Woodland.....Each Monday at 1:30 p.m.

Judge McDermott.....Each Monday at 1:30 p.m.

Judge Smith..... Each Monday at 9 a.m.

Judge Harding.....2nd Friday at 9 a.m.

Criminal (Arraignments and other criminal proceedings)

Judge	Time
Judge McDermott	Each Monday at 8:30 a.m.
Judge Woodland	Each Monday at 9:30 a.m.
Judge Smith	Each Monday at 1:30 p.m.

Bear Lake County.. 2nd and 4th Fridays at 10 a.m.

Caribou County....1st and 3rd Fridays at 10 a.m.

Franklin County..2nd and 4th Fridays at 10 a.m.

Oneida County.....2nd Friday of each month at 9:30 a.m.

Power County.....1st Tuesday of each month at 9:30 a.m.

4. Law and Motion Day for Magistrates. Law and Motion Days for Magistrates are scheduled in each county as follows:

Bannock County	Every Monday at 9:30 a.m.
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Bannock County <i>Special Proceedings</i>	Every 2nd and 4th Tuesday at 9:30 a.m.
Bear Lake County	Fridays at 10 a.m.
Caribou County	Every Thursday at 10 a.m.
Franklin County	Every Friday at 9 a.m.
Oneida County	Every Tuesday at 9:15 a.m.
Power County	Every Monday at 10 a.m. 1 p.m. Spanish Speaking 3:30 p.m. Juveniles

5. Special Proceedings in Bannock County. All cases in Bannock County involving mental hearings; Juvenile Corrections Act; proceedings under the Child Protection Act, termination of parental rights; contested adoptions arising from the Prosecutor's office and/or the Department of Health and Welfare; guardianship/conservatorships cases arising from Child Protection Act actions; and any drug, alcohol and misdemeanor charges for youth under age 18, shall be heard by Judge Bryan K Murray. Special proceedings, which include private adoptions, petitions to compromise a minor's claim, and general guardianship and conservatorships, shall be heard by Judge Ronald M. Hart.. All calendaring for special proceedings shall be made by calling Deputy Clerk Camille Wells at (208) 236-7350. Judge Gaylen L Box shall hear all estate and probate matters. Judge Boyd B White, II shall hear all misdemeanor cases assigned to the public defender.

6. Supplemental Proceedings. All supplemental proceedings are assigned to the judge assigned to the case.

7. Jurisdiction of Attorney Magistrates. Jurisdiction is hereby granted and the following classes or categories of cases are hereby assigned to all Attorney Magistrate Judges of the Sixth Judicial District:

A. All matters designated in Rule 82(c)(1)(A) and 82(c)(2)(A)(B)(C) and (E) of the Idaho Rules of Civil Procedure or section 1.2208, Idaho Code, as being within the jurisdiction or assignable to attorney magistrates.

8. Small Claims Department. Pursuant to the provisions of section 1-2301, Idaho Code, there is hereby created a Small Claims Department of the Magistrates Division which shall have jurisdiction only in cases for the recovery of money where the amount of each claim does not exceed \$3,000.00.

9. Mandatory Pretrial Conferences in Bannock County. A mandatory pretrial conference will be held for every proceeding under the Idaho Traffic Infraction Act and all misdemeanor actions in which a plea of not guilty has been received. Notice of the time and place of the pretrial conference and the Judge assigned to preside will be given upon entry of the not guilty plea.

10. Proceedings to Modify Decree of Divorce. All proceedings to modify a decree of divorce shall be commenced by a motion to modify the decree in the form of a complaint which reopens the court file under the same number of the original pleading. The

motion requesting modification shall be served on the opposing party along with a summons as provided by Rule 4 of these rules. Procedures thereafter shall be governed by the Idaho Rules of Civil Procedures as though prosecuted as an original complaint.

11. Pretrial Release Program Established. A pretrial release program is established in Bannock County under the supervision of the Administrative Judge operated by the Court Services Division under guidelines established by Administrative Order 94-1, which is available through the Trial Court Administrator's Office.

12. Jury Service. The assignment of jurors to Courts, postponing and excusing of individual jurors in Bannock County shall be under the direction of the Jury Commissioner to be appointed and subject to the supervision of the Administrative Judge or his designee.

13. Jury Selection. Except as otherwise ordered by the Court in a specific case, all juries will be selected by the Struck Jury System in accordance with Rule 47(I) of the Idaho Rules of Civil Procedure. The initial panel will be selected by drawing a total number of jurors equal to the number which will sit on the case, plus alternates (if any), plus the total number of peremptory challenges. The court will first voir dire the initial panel. The attorney for the plaintiff will first have the opportunity to voir dire the panel. However he must finish the entire panel before the attorney for the defendant proceeds.

Either attorney may voir dire the panel in gross or individually or some combination thereof. However, when the plaintiff and the defendant have completed their questioning, they must pass the entire panel for cause. Any jurors excused for cause during voir dire will be replaced by a new venireman who will move directly into the seat of the juror excused. After all peremptory challenges have been exercised, the jurors sitting in the lowest number of seats equal to the number of jurors plus alternates, who will sit on the case, will constitute the jury panel.

14. Mediation. Pursuant to Idaho Rules of Civil Procedure 16(C)12 mediation will be seriously considered when child custody and visitation issues are involved. Mandatory attendance at a parenting education course is required in Bannock County for all parties filing divorces which involve children under age 18 and for all proceedings which involve child custody issues. This class may be ordered by judges in other counties within the Sixth Judicial District.

15. Service on Non-Resident Judge. If the office of a presiding judge or magistrate is outside the county in which an action is pending, the parties shall comply with the requirement of Rule 5(d)(3) of the Idaho Rules of Civil Procedure with respect to the lodging of briefs, motions, notices of hearing, orders to show cause and proposed instructions with the presiding judge. Failure to comply with Rule 5(d)(3) shall, in the Court's discretion, result in the postponement of any scheduled hearings or other

proceedings to be held in the action.

16. District Trial Court Administrator. The Trial Court Administrator shall be responsible for caseload management, assignment of Magistrates, supervision of the Clerk's Deputy Clerks in the discharge of clerical functions of the Courts, supervising the jury system and District Courts' budgets along with other duties set forth by the Administrative District Judge and the Administrative Director of the courts.

17. Filing Court Documents by Fax. The Idaho Supreme Court has adopted rules which allow filing and service of documents by FAX in civil and criminal cases, as well as appeals. These rules became effective on January 1, 1990. The clerk shall stamp the FAXED copy as the original and the signature of the attorney on the FAXED copy shall constitute compliance with the rule requiring all pleadings to be signed by an attorney. Documents may only be filed by FAX if no filing fee is required, only during normal working hours and only if there is a FAX machine in the office of the filing court clerk. The FAX numbers of courthouses within the Sixth Judicial District are as follows:

Bannock County Courthouse Court Record's Office	(208) 236-7013
Bear Lake County Courthouse	(208) 945-2780
Caribou County Courthouse	(208) 547-4759
Franklin County Courthouse	(208) 852-2926
Oneida County Courthouse	(208) 766-4285
Power County Courthouse	(208) 226-7612

This order supersedes all prior orders of the court referring to the matters contained herein and is effective from and after the 26th day of January, 2000.

William H Woodland, Administrative District Judge
Peter D McDermott, District Judge
Don L Harding, District Judge
N. Randy Smith, District Judge
Suzanne H. Johnson, Trial Court Administrator